

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

City of Rochester v. Purdue Pharma L.P.,
No. 19-op-45853 (Track 12)

MDL 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**PLAINTIFF'S MOTION FOR LEAVE TO FILE UNDER SEAL ITS OPPOSITION TO
THE PBM DEFENDANTS' OBJECTION TO THE SPECIAL MASTER'S ORDER
REGARDING THE PRODUCTION OF PERSONNEL FILES**

This is a motion under Local Rule 5.2 seeking leave to file under seal Plaintiff's Opposition to the PBM Defendants' Objection to Special Master Cohen's December 6 ruling regarding the production of personnel files, together with its supporting exhibits. A proposed order is attached to this motion as Exhibit 1.

Local Rule 5.2 provides, "No document will be accepted for filing under seal unless a ... court order authorizes the filing of sealed documents." Plaintiff's Opposition refers information about defendants' employees and former employee deponents, which may be considered by the PBM Defendants as confidential under the governing protective order. *See* ECF Nos. 441, 1357, 2688. Accordingly, this information is subject to the Court's Order Amending Procedures Regarding Redactions and Filing of Briefs Under Seal. *See* ECF No. 1813.

Plaintiff does not believe this information warrants sealing and withholding from the public. Nonetheless, Plaintiff seeks to comply with all applicable orders concerning confidential information. Plaintiff respectfully requests to proceed in this manner so there is no inadvertent disclosure of such

information.

Plaintiff therefore asks the Court to grant Plaintiff's motion and direct the PBM Defendants to indicate within three business days whether and which specific information contained in Plaintiff's filing (including the brief and supporting exhibits) should be redacted and remain under seal and the basis therefor. *See* ECF No. 1813 at 5–7 (disfavoring blanket sealing and requiring specific redactions). At the end of that period, any information Defendants do not indicate should be redacted will be made available on the Court's public docket.

Dated: December 16, 2024

Respectfully submitted,

/s/ Peter H. Weinberger

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CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2024, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system and may be obtained by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Peter H. Weinberger

Peter H. Weinberger

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